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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,380	12/18/2000	Janine L. Helms	10004477-1	8820

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Intellectual Property Administration
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EXAMINER

QURESHI, SHABANA

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,380

Applicant(s)

HELMS, JANINE L.

Examiner

Shabana Qureshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This office action is in response to the Request for Reconsideration submitted on July 6, 2004.

Claims 1-14 are pending in this office action.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive.

Applicant argues that Levine does not teach a thin print server that is defined in the specification to lack unnecessary software or hardware features related to other general purpose network servers or computers or a physical user interface as well as various input devices.

However, the proxy server taught by Levine is not disclosed to include a physical user interface, various input devices, or unnecessary software or hardware features. Therefore, Examiner maintains that the server taught by Levine coincides with the definition of a thin print server as provided by the Applicant, as it is the examiner's duty to interpret the claims as broadly as possible.

Applicant further argues that Mansbery is not a valid reference as Applicant finds the subject of Mansbery irrelevant to the subject of the instant application. Applicant also states that Mansbery states nothing whatsoever about printing and does not teach a "thin print server". However, as Examiner cited in previous office action, Column 4, lines 1-5 state the following:

"... are equipped with "Thin Servers". These so called "Thin-Servers are appliance-like devices that control home computer/print networks, Internet connections..."

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Examiner maintains that the above cited disclosure is sufficient to suggest a thin print servers that are remotely controlled. The word “control” suggests administration and management as claimed by the Applicant as well.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Levine (US Patent No. 5,974,234, hereinafter “Levine”).

Regarding claim 11, Levine teaches a method of printing over a network, comprising:

- accessing a network print appliance from a remote computer (column 11, lines 5-18);
- through the remote computer, managing the network print appliance to discover one or more printers connected to the network and create one or more shared network print objects (column 17, lines 30-46), each shared network print object representing a printer connected to the network as a shared network printer (column 13, lines 59-67; column 17, lines 1-17);
- designating a shared network print object from an application program executing on the remote computer (column 10, lines 22-31);

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- sending a print job from the remote computer to the designated shared network print object for printing (column 14, lines 25-61);
- receiving the print job at the network print appliance (column 14, lines 45-61);
- managing the print Job at the network print appliance in one or more print queues (column 14, lines 45-61); and
- forwarding the print job from the network print appliance to a shared network printer for printing (column 14, lines 45-61).

As per claim 12, Levine teaches a network print appliance as recited in claim 11. Levine further teaches creating one or more shared network print objects further comprises:

- installing a printer (column 13, lines 60-67);
- configuring the printer (column 16, line 61 – column 17, line 29);
- assigning a printer driver to the printer (column 10, line 55);
- monitoring the printer (column 10, lines 34-43);
- grouping the printer (column 16, line 61 – column 17, line 29);
- troubleshooting the printer (column 16, line 61 – column 17, line 29); and
- establishing a print path for the printer (column 10, lines 25-31).

As per claim 13, Levine teaches a network print appliance as recited in claim 11. Levine further teaches the printer administration module is required to create the one or more shared network print objects on the network print appliance, thereby preventing the creation of a shared network print object on any other network device (column 13, lines 60-67).

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As per claim 14, Levine teaches the method of claim 11, Levine further teaches managing the print Job at the network print appliance in one or more print queues further comprises:

- associating a printer option with a print queue (column 10, line 51);
- holding a print job until a shared network printer is available (column 16, lines 1-24);
- holding a print job until a network administrator releases the print job (column 16, lines 1-24); and
- storing a print job that cannot print (column 16, lines 1-24).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mansbery et al (US Patent No. 6,121,593, hereinafter "Mansbury") in view of Levine (US Patent No. 5,974,234, hereinafter "Levine").

Regarding claim 1, Mansbery teaches a network print appliance, comprising:

- one or more processors (column 2, lines 55-58);
- a memory associated with the one or more processors (column 2, lines 55-58);

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- a network interface providing full-time connection to a network and remote access to the network print appliance by one or more client computers (column 4, lines 38-42; column 4, lines 1-5; column 6, lines 1-11);
- a user interface module stored in the memory and executable on the one or more processors providing remote management of the network print appliance by the one or more client computers, the user interface module precluding local management of the network print appliance (column 4, lines 1-20);
- a printer administration module stored in the memory and executable on the one or more processors connected to the network and creating one or more shared network print objects, each shared network print object representing a printer connected to the network as a shared network printer (column 4, lines 38-42; column 4, lines 1-5; column 6, lines 1-11); and
- a printer serving module stored in the memory and executable on the one or more processors for receiving print jobs (column 4, lines 38-42; column 4, lines 1-5; column 6, lines 1-11).

Mansbury does not explicitly teach: "... discovering the ... printers."; "... being further configured to designate a network print object and send a print job to the designated network print object"; and "... managing print queues, and forwarding print jobs..."

However, Levine teaches:

- a printer administration module stored in the memory and executable on the one or more processors for discovering one or more printers connected to the network and creating one or more shared network print objects (column 17, lines 30-46), each

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- shared network print object representing a printer connected to the network as a shared network printer (column 13, lines 59-67; column 17, lines 1-17); and
- a printer serving module stored in the memory and executable on the one or more processors for receiving print Jobs, managing print queues, and forwarding print jobs to a shared network printer for printing (column 14, lines 45-61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network appliance taught by Mansbery to include details of a printer server as taught by Levine so that the network appliance can manage printers and print jobs remotely (Mansbery, column 4, lines 38-42; column 4, lines 1-5).

As per claim 2, Mansbery in view of Levine teach a network print appliance as recited in claim 1. Levine further teaches creating one or more shared network print objects further comprises:

- installing a printer (column 13, lines 60-67);
- configuring the printer (column 16, line 61 – column 17, line 29);
- assigning a printer driver to the printer (column 10, line 55);
- monitoring the printer (column 10, lines 34-43);
- grouping the printer (column 16, line 61 – column 17, line 29);
- troubleshooting the printer (column 16, line 61 – column 17, line 29); and
- establishing a print path for the printer (column 10, lines 25-31).

As per claim 3, Mansbery in view of Levine teach a network print appliance as recited in claim 1. Levine further teaches the printer administration module is required to create the one

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or more shared network print objects on the network print appliance, thereby preventing the creation of a shared network print object on any other network device (column 13, lines 60-67).

As per claim 4, Mansbery in view of Levine teach a network print appliance as recited in claim 1. Levine further teaches the printer administration module is pre-installed on the network print appliance and supports a single operating system, the single operating system being the network print appliance operating system (column 7, lines 25-44).

As per claim 5, Mansbery in view of Levine teach a network print appliance as recited in claim 1. Mansbery further teaches the network interface is a Web browser based interface (column 3, lines 60-67).

As per claim 6, Mansbery teaches a system for printing over a network, comprising:

- one or more client computers (column 3, lines 57-67);
- one or more network printers (column 3, lines 57-67);
- a network print appliance having a network interface providing full time connection to a network and remote access to the network print appliance by the one or more client computers (column 4, lines 1-5; column 4, lines 28-32; column 6, lines 1-11);
and
- the one or more client computers being configured to access and manage the network print appliance through a Web browser (column 3, lines 60-67);
- the network print appliance being configured to discover the one or more network printers and create one or more shared network print objects, each shared network print object representing a network printer connected to the network as a shared network printer (column 4, lines 1-5; column 4, lines 28-32; column 6, lines 1-11);

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- the one or more client computers being further configured to designate a shared network print object while executing an application program (column 4, lines 1-5; column 4, lines 28-32; column 6, lines 1-11);
- the network print appliance being further configured to receive a print job (column 4, lines 1-5; column 4, lines 28-32; column 6, lines 1-11).

Mansbury does not explicitly teach: "... being configured to discover the ... printers."; and "... manage print queues, and forward a print job..."

However, Levine discloses:

- the network print appliance being configured to discover the one or more network printers and create one or more shared network print objects (column 17, lines 30-46), each shared network print object representing a printer connected to the network as a shared network printer (column 13, lines 59-67; column 17, lines 1-17);
- the one or more client computers being further configured to designate a shared network print object and send a print Job to the designated shared network print object while executing an application program (column 14, lines 45-61);
- the network print appliance being further configured to receive a print job, manage print queues, and forward a print Job to a shared network printer for printing (column 14, lines 45-61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network appliance taught by Mansbury to include details of a printer

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server as taught by Levine so that the network appliance can manage printers and print jobs remotely (Mansbery, column 4, lines 38-42; column 4, lines 1-5).

As per claim 7, Mansbery in view of Levine teach a network print appliance as recited in claim 1. Levine further teaches creating one or more shared network print objects further comprises:

- installing a printer (column 13, lines 60-67);
- configuring the printer (column 16, line 61 – column 17, line 29);
- assigning a printer driver to the printer (column 10, line 55);
- monitoring the printer (column 10, lines 34-43);
- grouping the printer (column 16, line 61 – column 17, line 29);
- troubleshooting the printer (column 16, line 61 – column 17, line 29); and
- establishing a print path for the printer (column 10, lines 25-31).

As per claim 8, Mansbery in view of Levine teach a network print appliance as recited in claim 1. Levine further teaches the printer administration module is required to create the one or more shared network print objects on the network print appliance, thereby preventing the creation of a shared network print object on any other network device (column 13, lines 60-67).

As per claim 9, Mansbery in view of Levine teach a network print appliance as recited in claim 6. Levine further teaches the printer administration module is pre-installed on the network print appliance and supports a single operating system, the single operating system being the network print appliance operating system (column 7, lines 25-44).

As per claim 10, Mansbery in view of Levine teach a network print appliance as recited in claim 6. Mansbery further teaches the network interface is a Web browser based interface (column 3, lines 60-67).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (703) 308-6118. The examiner can normally be reached on Monday - Friday, 8:30am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi
Examiner
Art Unit 2155

SQ
18 October 2004


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER